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7 *Attorneys for Defendants*
8 *Nevada Board of Prison Commissioner,*
Nevada Department of Corrections, Isidro Baca,
Colin Brown, Barbara Cegavske,
James Cox, Jerry Howell,
Laxalt, Randolph Moye, Jennifer Nash,
10 *Dwight Neven, Ryan Pappas*
Michael Ramos, Brian Sandoval, Anthony Scillia,
11 *Bruce Stroud and Yekchung Yung*

12 **IN THE UNITED STATES DISTRICT COURT**

13 **DISTRICT OF NEVADA**

14 LAWRENCE EVANS, an individual

15 Plaintiff,

16 v.

17 STATE OF NEVADA, ex rel THE NEVADA
18 BOARD OF PRISON COMMISSIONERS;
STATE OF NEVADA, ex rel
19 DEPARTMENT OF CORRECTIONS;
BRIAN SANDOVAL, in his individual and
20 official capacity as a Nevada Prison
Commissioner; ADAM P. LAXALT, in his
individual and official capacity as a Nevada
Prison Commissioner; BARBARA
23 CEGAVSKE, in her individual and official
capacity as a Nevada Prison
Commissioner; JAMES G. COX, in his
individual and official capacity as Director of
the Nevada Department of Corrections;
DWIGHT NEVEN, in his individual and
official capacity as Warden of High Desert
State Prison; ANTHONY SCILLIA, in his
individual and official capacity as Associate
Warden of High Desert State Prison;
ISIDRO BACA, in his individual and official

Case No. 2:15-cv-01885-APG-NJK

**STIPULATION AND ORDER TO EXTEND
TIME TO RESPOND TO PLAINTIFF'S
MOTION FOR PRELIMINARY
INJUNCTION (ECF NO. 17)**

1 capacity as Associate Warden of High
2 Desert State Prison; COLE MORROW, in
3 his individual and official capacity as
4 Associate Warden of High Desert State
5 Prison; JERRY HOWELL, in his individual
6 and official capacity as Associate Warden
7 of High Desert State Prison; JENNIFER
8 NASH, in her individual and official capacity
9 as Associate Warden of High Desert State;
10 COLIN BROWN, in his individual capacity
11 as a correctional sergeant; MICHAEL
12 RAMOS, in his individual capacity as a
13 correctional officer; RANDOLPH MOYE, in
14 his individual capacity as a correctional
15 officer; BRUCE STROUD, in his individual
capacity as a correctional officer lieutenant;
ARTHUR LINDSEY, in his individual
capacity as a correctional lieutenant;
CHARLES RATCLIFF, in his individual
capacity as a correctional officer; RYAN
PAPPAS, in his individual capacity as a
correctional officer; YEKCHUNG YUNG, in
his individual capacity as a correctional
officer; and DOES 1 through 10,
collectively,

16 Defendants.

17 Plaintiff, Lawrence Evans, by and through counsel, Travis N. Barrick, and Defendants
18 Nevada Board of Prison Commissioner, Nevada Department of Corrections, Isidro Baca, Colin
19 Brown, Barbara Cegavske, James Cox, Jerry Howell, Adam Laxalt, Randolph Moye, Jennifer
20 Nash, Dwight Neven, Ryan Pappas, Michael Ramos, Brian Sandoval, Anthony Scillia, Bruce
21 Stroud and Yekchung Yung, by and through counsel, Adam Paul Laxalt, Attorney General of
22 the State of Nevada, and Andrea R. Barraclough, Chief Deputy Attorney General, hereby
23 stipulate as follows:

24 1) That the Court in (ECF No. 28) ordered Defendants to respond to Plaintiff's
25 pending Motion for Preliminary Judgment, which had been stayed for the purposes of
26 mediation, but which had been resurrected upon a stipulated lift of the stay when mediation
27 did not result in settlement.

28 / / /

1 2) That even though mediation was unsuccessful, the parties continued informal
 2 negotiations. Defendants did not provide an opposition brief earlier because settlement was
 3 close;

4 3) That this matter has been successfully negotiated as of today, with Plaintiff
 5 providing oral agreement but still needing to sign and return the Settlement Agreement prior to
 6 counsels' ability to formally file the Stipulation to Dismiss.

7 Accordingly, the parties stipulate to an extension to time for Defendants to file an
 8 Opposition to the Motion for Preliminary Injunction, in the expectation that they will be able to
 9 file a Stipulation to Dismiss upon settlement agreement in lieu of an opposition prior to its next
 10 due date.

11 The parties believe Plaintiff can review, sign and return the Settlement Agreement
 12 within two (2) weeks, that it can be countersigned within a few days thereafter, and that the
 13 Stipulation to Dismiss can be executed by both counsels contemporaneously. Thus, the
 14 parties request a continuance of time to respond to the Plaintiff's Motion for Preliminary
 15 Injunction until Monday, July 11, 2016.

17 DATED this 20 day of June, 2016.

18 GALLIAN WELKER & BECKSTROM, LC

19 By:

20 /s/ Travis N. Barrick

21 Travis N. Barrick, SBN 9257
 22 540 E. St. Louis Avenue
 23 Las Vegas, Nevada 89117
 24 (702) 892-3500
 25 tbarrick@vegascase.com
 26 Attorneys for Plaintiff

17 DATED this 20 day of June, 2016.

18 OFFICE OF THE ATTORNEY GENERAL

19 By: Andrea Barraclough

20 Andrea R. Barraclough, SBN 9158
 21 100 N. Carson Street
 22 Carson City, NV 89701
 23 (775) 684-1260
 24 abarraclough@ag.nv.gov
 25 Attorneys for Defendants

26 **APPROVED AND SO ORDERED:**

27 Dated: June 21, 2016



28 _____
 29 UNITED STATES MAGISTRATE JUDGE